

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:07CR449 ERW
	)	
JANTU BIRKENMAIER,	)	
	)	
Defendant.	)	

**PRELIMINARY ORDER OF FORFEITURE**

WHEREAS, the United States sought forfeiture of specific property of the above-captioned defendant pursuant to Title 21, United States Code, Section 853 as set forth in the Indictment:

AND WHEREAS, on October 31, 2007, the defendant Jantu Birkenmaier, pled guilty to Count I of the indictment and the United States also entered into a written Stipulation regarding the identified property subject to forfeiture;

AND WHEREAS, by virtue of said plea of guilty and written Stipulation, the United States is now entitled to possession of said properties, pursuant to Title 21, United States Code, Section 853;

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the defendant's plea of guilty and the written Stipulation, the following property is hereby forfeited to the United States for the disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853:

The following property belonging to defendant:

a. \$48,309.00 U.S. Currency seized on December 21, 2006.

2. That the aforementioned forfeited property is to be held by the United States Marshal,

as indicated, in their secure custody and control.

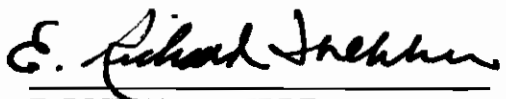
3. That pursuant to Title 21, United States Code, Section 853(n)(1), the United States Marshall forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshal's intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeiture properties and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of all third-party interests, this Court shall enter a Final Order of Forfeiture pursuant to Title 21, United States Code, Section 853(n), in which all of said property will be ordered forfeited to the United States to be disposed of according to law.

Ordered this 12<sup>th</sup> day of December, 2007.

  
E. RICHARD WEBBER  
United States District Judge